

By the Commission, Chairman Taylor, Vice Chairman Sterrett, Commissioners Andre and Gradison.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 83-21327 Filed 8-4-83; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-6 (Sub-155)]

Rail Carriers; Burlington Northern Railroad Co.; Abandonment; in Jefferson County, AL; Findings

The Commission has issued a certificate authorizing the Burlington Northern Railroad Company to abandon its 2.39-mile rail line known as the Birmingham 500 Zone trackage, in the City of Birmingham, Jefferson County, AL. The abandonment certificate will become effective 30 days after this publication unless the Commission also finds that: (1) A financially responsible person has offered financial assistance (through subsidy or purchase) to enable the rail service to be continued; and (2) it is likely that the assistance would fully compensate the railroad.

Any financial assistance offer must be filed with the Commission and the applicant no later than 10 days from publication of this Notice. The following notation shall be typed in bold face on the lower left-hand corner of the envelope containing the offer: "Rail Section, AB-OFA." An offer previously made must be remade within this 10-day period.

Information and procedures regarding financial assistance for continued rail service are contained in 49 U.S.C. 10905 and 49 CFR 1152.27.

Agatha L. Mergenovich,
Secretary.

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BILLING CODE 7035-01-M

DEPARTMENT OF LABOR

Office of the Secretary

Agency Forms Under Review by the Office of Management and Budget (OMB)

Background: The Department of Labor, in carrying out its responsibility under the Paperwork Reduction Act (44 U.S.C. Chapter 35), considers comments on the proposed forms and recordkeeping requirements that will affect the public.

List of Forms Under Review: On each Tuesday and/or Friday, as necessary, the Department of Labor will publish a list of the Agency forms under review by the Office of Management and Budget (OMB) since the last list was published.

The list will have all entries grouped into new forms, revisions, extensions (burden change), extensions (no change), or reinstatements. The Departmental Clearance Officer will, upon request, be able to advise members of the public of the nature of any particular revision they are interested in.

Each entry will contain the following information:

The Agency of the Department issuing this form.

The title of the form.

The Agency from number, if applicable.

How often the form must be filled out.

Who will be required to or asked to report.

Whether small business or organizations are affected.

The standard industrial classification (SIC) codes, referring to specific respondent groups that are affected.

An estimate of the number of responses.

An estimate of the total number of hours needed to fill out the form.

The number of forms in the request for approval.

An abstract describing the need for and uses of the information collection.

Comments and Questions: Copies of the proposed forms and supporting documents may be obtained by calling the Departmental Clearance Officer, Paul E. Larson, Telephone 202-523-6331.

Comments and questions about the items on this list should be directed to Mr. Larson, Office of Information Management, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room S-5526, Washington, D.C. 20210. Comments should also be sent to the OMB reviewer, Arnold Strasser, Telephone 202-395-6880, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 3208, NEOB, Washington, D.C. 20503.

Any member of the public who wants to comment on a form which has been submitted to OMB should advise Mr. Larson of this intent at the earliest possible date.

Extension (Burden Change)

- Mine Safety and Health Administration
- Training Plan Regulations
- On occasion
- Businesses or other for-profit and small businesses or organizations
- SIC: Major groups 10, 11, 12 and 14
- 4,100 respondents; 32,800 hours

Requires mine operators to have an MSHA approved plan containing

programs for training new miners, training newly-employed experienced miners, training miners for new tasks, annual refresher training, and hazard training. Regulations are intended to ensure that miners will be effectively trained in matters affecting their health and safety, with the ultimate goal being the reduction of the frequency and severity of injuries in the nation's mines.

- Mine Safety and Health Administration
- Record of Individual Exposure to Radon Daughters
- Annually
- Businesses or other for-profit and small businesses or organizations
- SIC: Multiple
- 125 respondents; 39,063 hours

Requires the mine operator to calculate, record and report individual exposures to concentrations of radon daughters.

Operators are required to conduct weekly testing where the fluctuation in radiation is substantial or concentrations of radon daughters exceed 0.3 WL. Monthly testing is required where mines have consistent readings of 0.3 WL or less. Records are maintained by the operator and are submitted to MSHA annually.

Reinstatement

- Bureau of Labor Statistics
- Manual for Developing Local Area Unemployment Statistics
- BLS 3040 and LAUS 1-5
- Monthly and Annually
- State Governments (State Employment Security Agencies)
- SIC: 9441
- 72,000 responses; 144,000 hours; one document, five forms

The manual provides the theoretical basic and essential technical instructions and guidance (including the estimating worksheet) which States require to prepare State and area unemployment estimates, while the documents, LAUS 1-5 are selected estimating worksheets and vehicles for transmitting estimates to BLS.

Signed at Washington, D.C., this 2nd day of August 1983.

Paul E. Larson,

Departmental Clearance Officer.

[FR Doc. 83-21368 Filed 8-4-83; 8:45 am]

BILLING CODE 4510-24-M, 4510-43-M

[Secretary of Labor's Order 9-83]

Delegation of Authority and Assignment of Responsibilities for Occupational Safety and Health Programs

July 28, 1983.

1. *Purpose.* To update the delegation of authority and assignment of responsibilities for conducting safety and health programs.

2. *Directive Affected.* Secretary's Order 8-78 is cancelled.

3. *Background.* The Occupational Safety and Health Act of 1970, other Acts listed in 4a(1) below, and Executive Order 12196 provide authority and assign responsibility to the Secretary of Labor for safety and health programs. Section 405 of the Surface Transportation Assistance Act (STAA) authorizes the Secretary of Labor to investigate and adjudicate complaints filed by certain employees alleging they have been discharged or discriminated against for taking certain actions in connection with commercial motor vehicle safety and health. Since that protection is similar to the provisions of Section 11(c) of the Occupational Safety and Health Act of 1970, the Assistant Secretary for Occupational Safety and Health, pursuant to this Order, is delegated authority for administering Section 405 of STAA as well.

4. *Delegation of Authority and Assignment of Responsibilities:*

a. *The Assistant Secretary for Occupational Safety and Health*, is delegated authority and assigned responsibility for:

(1) Administering the safety and health programs and activities of the Department of Labor (DOL) under:

(a) Occupational Safety and Health Act of 1970.

(b) Walsh-Healey Public Contracts Act of 1936, as amended.

(c) Service Contract Act of 1965.

(d) Contract Work Hours and Safety Standards Act.

(e) Maritime Safety Act of 1958.

(f) National Foundation on the Arts and Humanities Act of 1965.

(g) 5 U.S.C. 7902 and any Executive Order thereunder.

(h) Executive Order 12196.

(i) Section 405 of the Surface Transportation Assistance Act of 1982.

(j) Responsibilities of the Secretary of Labor with respect to safety and health provisions of any other Federal statutes except those related to mine safety and health, the issuance of child labor hazardous occupation orders, and DOL employee safety and health which are administered pursuant to Secretary's Orders 3-78; 16-75 as modified by 1-81; and 6-81 respectively.

(2) Serving as Chairperson of the Federal Advisory Council on Occupational Safety and Health, as provided for by Executive Order 12196.

(3) Coordinating Agency efforts with those of other officials or agencies having responsibilities in the occupational safety and health area.

b. *The Solicitor of Labor* is responsible for providing legal advice and assistance to the Secretary and all offices of the DOL relating to the delegations of authority referenced and applicable laws, Executive Orders, and regulations.

c. *The Commissioner of Labor Statistics* is delegated authority and assigned responsibility for:

(1) Furthering the purpose of the Occupational Safety and Health Act by developing and maintaining an effective program of collection, compilation, analysis, and publication of occupational safety and health statistics consistent with the provisions of Secretary's Order 4-81.

(2) Making grants to States or political subdivisions thereof in order to assist them in developing and administering programs dealing with occupational safety and health statistics under Sections 18, 23, and 24 of the Occupational Safety and Health Act.

(3) Coordinating the above functions with the Assistant Secretary for Occupational Safety and Health.

5. *Reservation of Authority.* The following functions are reserved to the Secretary:

a. Submission of reports and recommendations to the President and the Congress concerning the administration of the statutes and Executive Orders listed in paragraph 4a above.

b. The commencement of legal proceedings under the statutes listed in paragraph 4a above. The Solicitor of Labor will determine in each case whether such proceedings are appropriate and may represent the Secretary in civil litigation as authorized by law.

6. *Redelegation of Authority.* The Assistant Secretary for Occupational Safety and Health, the Solicitor of Labor, and the Commissioner of Labor Statistics may redelegate authority delegated in this Order.

7. *Effective Date.* This Order is effective immediately, and with respect to Section 405 of STAA, shall apply to any action arising subsequent to the date of enactment of the STAA.

Raymond J. Donovan,
Secretary of Labor.

[FR Doc. 83-21389 Filed 8-4-83; 8:45 am]

BILLING CODE 4510-22-M

Employment and Training Administration**Employment Transfer and Business Competition Determinations Under the Rural Development Act; Applications; Wausau Manor**

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75. In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.

2. Employment trends in the same industry in the local area.

3. The potential effect of the new facility upon the local labor market with particular emphasis upon its potential impact upon competitive enterprises in the same areas.

4. The competitive effect upon other facilities in the same industry located in

other areas (where such competition is a factor).

5. In the case of application involving the establishment of branch plants or facilities, the potential effect of such new facilities in other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice. Comments received after the two-week period may not be considered. Send comments to: Richard C. Gilliland, Director, U.S. Employment Service, Employment and Training Administration, 601 D Street, NW., Room 8000—Patrick Henry Building, Washington, D.C. 20213.

Signed at Washington, D.C. this 2nd day of August 1983.

Robert S. Kenyon,

Director, Office of Program Operations.

APPLICATIONS RECEIVED DURING THE WEEK ENDING AUGUST 6, 1983

Name of applicant and location of enterprise	Principal product of activity
Wausau Minor, Wausau, Wisconsin.	Skilled nursing facility.

[FR Doc. 83-21323 Filed 8-4-83; 8:45 am]

BILLING CODE 4510-30-M

Office of Pension and Welfare Benefit Programs

Blackmore and Glunt, Inc., et al.; Grant of Individual Exemptions

AGENCY: Office of Pension and Welfare Benefit Programs, Labor.

ACTION: Grant of Individual Exemptions.

SUMMARY: This document contains exemptions issued by the Department of Labor (the Department) from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1954 (the Code).

Notices were published in the Federal Register of the pendency before the Department of proposals to grant such exemptions. The notices set forth a summary of facts and representations contained in each application for exemption and referred interested persons to the respective applications for a complete statement of the facts and representations. The applications have been available for public inspection at the Department in Washington, D.C. The notices also

invited interested persons to submit comments on the requested exemptions to the Department. In addition the notices stated that any interested person might submit a written request that a public hearing be held (where appropriate). The applicants have represented that they have complied with the requirements of the notification to interested persons. No public comments and no requests for a hearing, unless otherwise stated, were received by the Department.

The notices of pendency were issued and the exemptions are being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

Statutory Findings

In accordance with section 408(a) of the Act and/or section 4975(c)(2) of the Code and the procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975), and based upon the entire record, the Department makes the following findings:

(a) The exemptions are administratively feasible;

(b) They are in the interests of the plans and their participants and beneficiaries; and

(c) They are protective of the rights of the participants and beneficiaries of the plans.

The Blackmore and Glunt, Inc. Profit Sharing Plan (the Plan) Located in Maryland Heights, Missouri

[Exemption Application No. D-2773; Prohibited Transaction Exemption 83-115]

Exemption

The restrictions of section 406(a) and 406 (b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c) (1)(A) through (E) of the Code, shall not apply to the sale of office equipment by the Plan to Blackmore and Glunt, Inc. (the Employer), provided the terms of the sale are not less favorable to the Plan than those obtainable in an arm's length transaction with an unrelated party on the date of sale.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on April 1, 1983 at 48 FR 14074.

Comments and Hearing Requests

The applicant represents that it was unable to notify interested persons of the proposed exemption within the time period specified in the Federal Register Notice of April 1, 1983. Therefore, pursuant to discussions with the Department, all interested persons were notified of the proposed exemption on May 24, 1983 and informed that the comment period would be extended until June 24, 1983.

For Further Information Contact: Ms. Linda Hamilton of the Department, telephone (202) 523-8881. (This is not a toll-free number.)

Cox, Cummins & Lamphere Profit Sharing Plan and Cox, Cummins & Lamphere Pension Plan (Collectively, the Plans) Located in Martinez, California

[Exemption Application No. D-3637 and D-3638; Prohibited Transaction Exemption 83-116]

Exemption

The restrictions of section 406(a) and 406 (b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the proposed sale by the Plans of a 10.4 percent limited partnership interest (the Interest) in a real estate limited partnership known as Country Plaza to Mr. James E. Cox, a party in interest with respect to the Plans, for cash in the amount of \$197,665, provided that this amount is not less than the fair market value of the Interest at the time the sale is consummated.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on June 14, 1983 at 48 FR 27312.

For Further Information Contact: Ms. Katherine D. Lewis of the Department, telephone (202) 523-8972. (This is not a toll-free number.)

Allbright Machine Company, Inc. Employees' Profit-Sharing Plan and Trust (the Plan) Located in Odesa, Texas

[Exemption Application No. D-3674; Prohibited Transaction Exemption 83-117]

Exemption

The restrictions of section 406(a) and 406 (b)(1) and (b) (2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the lease of certain real property by the Plan to